



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCE

In re application of

Docket No: Q57694

Nobuhito UEDA, et al.

Appln. No.: 09/485,820

Group Art Unit: 1616

Confirmation No.: 2221

Examiner: N. LEVY

Filed: February 16, 2000

For: ENVELOPED PESTICIDAL FORMULATIONS

APPELLANTS' BRIEF ON APPEAL UNDER 37 C.F.R. § 1.192

Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the provisions of 37 C.F.R. § 1.192, Appellants submits the following:

I. REAL PARTY IN INTEREST

The real party in interest is Sumitomo Chemical, Limited of Osaka, Japan.

II. RELATED APPEALS AND INTERFERENCES

There are no related appeals and interferences.

III. STATUS OF CLAIMS

Claims 1 to 16 are all of the claims that have appeared in the application. Claims 2, 6, 9, 10, 13, 14, 15, and 16 have been cancelled, leaving claims 1, 3 to 5, 7, 8, 11 and 12 in the application. All of these claims have been rejected and are on appeal.

Thus, the claims that are on appeal are 1, 3 to 5, 7, 8, 11 and 12.

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IV. STATUS OF AMENDMENTS

There were no amendments to the claims that were presented after final rejection. Thus, all amendments have been entered.

V. SUMMARY OF THE INVENTION

The present invention is directed to a solid pesticidal formulation enveloped in a water soluble substance wherein the solid pesticidal formulation comprises at least one water soluble hydroxy compound selected from the group consisting of alkanols, ethylene glycol, propylene glycol, tri- or more valent alcohols, alcoholamines, lactic acid and hydroxyfatty acid esters. (Page 2, lines 6 to 11 and lines 20 to 24). The solid formulation is a formulation selected from wettable powders, water dispensible granules and water soluble formulations. (Page 9, lines 3 to 6).

Preferably, the solid pesticidal formulation enveloped in a water soluble substance is one in which the water soluble hydroxy compound is isobutyl alcohol, ethylene glycol, propylene glycol, butylene glycol, glycerin monoethanolamine, diethanolamine, triethanolamine, lactic acid or ethyl lactate. (page 2, lines 20 to 24).

VI. ISSUES

A. Whether the Examiner erred in rejecting claims 1, 3, 7, 8, 11 and 12 under 35 U.S.C. § 102(e) as anticipated by Levy.

B. Whether the Examiner erred in rejecting claims 1, 3 to 5, 7, 8, 11 and 12 under 35 U.S.C. § 103(a) as obvious over Murakami et al in view of JP 08-19803.

VII. GROUPING OF CLAIMS

For issue A, the claims that are the subject of the rejection do not stand or fall together.

In particular, claim 3 does not stand or fall with the remaining claims.

VIII. ARGUMENTS

A. The Examiner Erred in Rejecting claims 1, 3, 7, 8, 11 and 12 under 35 U.S.C. § 102(e) as Anticipated by Levy.

Appellants submit that Levy does not disclose or render obvious the present invention and, accordingly, request reversal of this rejection.

The present invention, as set forth in claim 1, is directed to a solid pesticidal formulation enveloped in a water-soluble substance. The solid pesticidal formulation comprises at least one water soluble hydroxy compound selected from the group consisting of alkanols, ethylene glycol, propylene glycol, tri- or more valent alcohols, alcoholamines, lactic acid and hydroxy fatty acid esters. The solid pesticidal formulation is a formulation selected from wettable powders, water dispersible granules and water soluble formulations.

The patent to Levy is directed to controlled delivery or controlled release composition and process for treating organisms in a column of water or on land. Levy discloses at column 6, lines 33-36 (and also at column 6, lines 15 to 24) that the controlled release compositions can be placed within a dispenser such as a water soluble polyvinyl alcohol pouch having a continuous outer wall that envelopes the compositions of the Levy.

Levy discloses a wide variety of controlled release compositions, and describes a variety of components that can be present in a controlled release composition, but Levy nowhere discloses any examples of a solid pesticidal formulation enveloped in a water soluble substance,

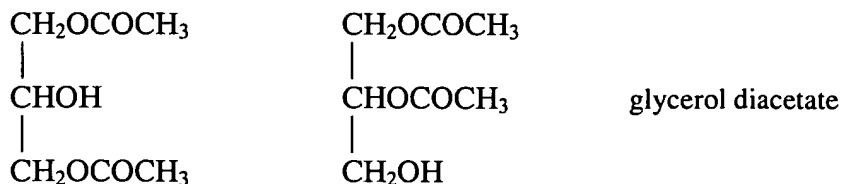
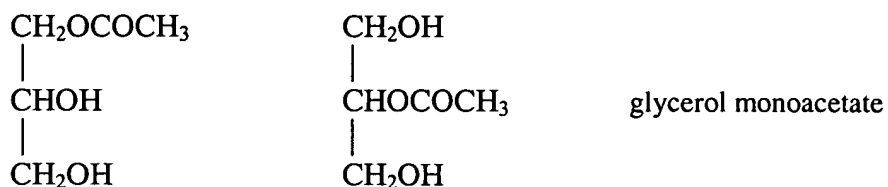
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where the solid pesticidal formulation comprises at least one water soluble hydroxy compound selected from the compounds set forth in claim 1, and where the solid pesticidal formulation is a formulation selected from wettable powders, water dispersible granules and water soluble formulations.

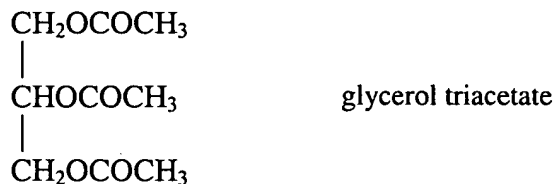
The Examiner has relied on the disclosures at column 10 for a teaching of coatings for the regulation of pesticidal release, column 11 for a teaching of specific compounds, and Example 1 of Levy. The Examiner has stated that column 11 of Levy lists glycerol monoacetate, diacetate and triacetate. The Examiner apparently consider these acetates to satisfy the recitations of the present claims.

Appellants submit that these acetates do not satisfy the recitations of claim 1.

In particular, glycerol monoacetate, glycerol diacetate and glycerol triacetate, upon which the Examiner relies, are the following compounds.



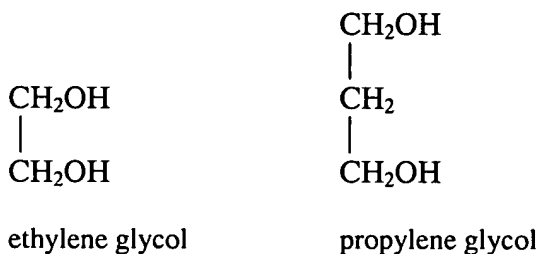
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On the other hand, the water soluble hydroxy compounds of the present claims are (1) alkanols, (2) ethylene glycol, (3) propylene glycol, (4) tri- or more valent alcohols, (5) alcoholamines, (6) lactic acid, and (7) hydroxyfatty acid esters.

In the water-soluble hydroxy compounds of the present claims, the (1) alkanols mean alkanes having one hydroxy group. The term "alkanol" is defined in Webster's Third-New International Dictionary, at page 54, a copy of which is enclosed herewith. The Dictionary defines alkanol as "an aliphatic alcohol (as methanol) regarded as derived from an alkane". The Dictionary also defines an alkane at page 54 as "any of a series of saturated aliphatic hydrocarbons $\text{C}_n\text{H}_{2n+2}$ (as methane)". Namely, an alkanol is $\text{C}_n\text{H}_{2n+1}\text{OH}$, such as methanol, ethanol, propanol and the like in the present invention. Therefore, the glycerol mono-, di- or triacetate of Levy do not satisfy the requirement of an alkanol.

The following compounds are (2) ethylene glycol and (3) propylene glycol, respectively.



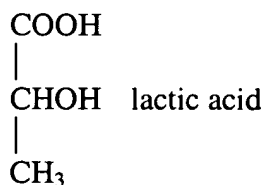
The glycerol mono-, di- or triacetate of Levy do not satisfy the requirements of ethylene glycol and propylene glycol.

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The (4) tri- or more valent alcohols of the present claims require three or more hydroxy groups. The number of hydroxy groups in one molecule of glycerol mono-, di- or triacetate is 2, 1 or 0, respectively. Therefore, the glycerol mono-, di- or triacetate of Levy are not tri- or more valent alcohols.

The (5) alcoholamines of the present claims require the presence of an amine group. The glycerol mono-, di- or triacetate of Levy do not have an amine group. Therefore, the glycerol mono-, di- or triacetate of Levy do not satisfy the (5) alcoholamines of the present claims which require the presence of an amine group.

The following compound is (6) lactic acid.



Therefore, glycerol mono-, di- or triacetate of Levy is not the lactic acid of the present claims.

The (7) hydroxyfatty acid esters of the present claims means an ester of a hydroxyfatty acid and an alcohol compound. It is a compound in which a hydroxy group exists on a fatty acid portion of the ester compound. Glycerol mono-, di- and triacetate are esters of acetic acid and glycerol. Since acetic acid is not a hydroxyfatty acid, the glycerol mono-, di- or triacetate of Levy do not satisfy the requirements of the (7) hydroxyfatty acid esters of the present claims.

Thus, none of the three compounds that the Examiner has identified at column 11 of Levy satisfy the requirements of the water soluble hydroxy compound of the present claims.

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In addition, the Examiner has stated that in Example 1 of Levy, although the Levy compounds are called coatings, they are admixed. The Examiner, however, did not identify any particular compound in Example 1 upon which he is relying.

With respect to the Examiner's reference to Example 1 of Levy, appellants do not see where Example 1 discloses a product that satisfies the recitations of claim 1, since there is no disclosure in Example 1 of a water soluble envelope that envelopes a solid pesticidal formulation containing a water soluble hydroxy compound.

With regard to Example 1 of Levy and the Examiner's statement that the Levy compounds in Example 1 are called coatings and are admixed, appellants have assumed the Examiner believes that the ethyl citrate or cetyl alcohol in Example 1 are the water soluble hydroxy compounds of claim 1, since these are the only compounds in Example 1 of Levy that are present in the coating other than the active ingredient.

Appellants point out, however, that the ethyl citrate in Example 1 of Levy is not a water soluble hydroxy compound of the present claims. According to the McGraw-Hill Dictionary of Scientific and Technical Terms (Fifth Edition) (a copy of a page of which was submitted with the Response Under 37 C.F.R. § 1.111 filed on November 21, 2001), "fatty acid" is defined as an "organic monobasic acid". Therefore, a hydroxyfatty acid ester of the present invention is an ester of a hydroxy-substituted organic monobasic acid with an alcohol, and does not include a hydroxytricarboxylic acid ester such as ethyl citrate.

A hydroxyfatty acid ester means a fatty acid ester whose one hydrogen atom that is bonded with a carbon atom is substituted by a hydroxy group, wherein the fatty acid is defined as

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“any of a series of saturated aliphatic monocarboxylic acids $C_nH_{2n+1}COOH$ (as acetic acid or lauric acid)”, as can be seen from the enclosed page 829 of Webster's Third New International Dictionary. Therefore, glycerol mono-, di and -acetate are not a hydroxyfatty acid ester of the present invention.

Further, the cetyl alcohol of the Examples in Levy is not water soluble. Appellants have submitted with the Response Under 37 C.F.R. § 1.111, filed on May 6, 2002, a copy of a page from Hawley's Condensed Chemical Dictionary, Fourteenth Edition, for cetyl alcohol, which discloses that cetyl alcohol is “insoluble in water”. Therefore, the cetyl alcohol in Levy is not a water soluble hydroxy compound of claim 1.

Thus, even if one of ordinary skill in the art were to place the powders of Example 1 of Levy in a water-soluble envelope, one still would not arrive at the present invention because the powder of Example 1 of Levy does not contain a water soluble hydroxy compound as recited in the present claims.

The Examiner has stated that the claims only require the presence of a hydroxyl compound, and a powder or granule or some other water soluble solid form, and that a pesticide doesn't even have to be present. The Examiner has stated that Levy shows the coatings themselves can be pesticidally active.

In response, appellants submit that the Examiner has not correctly analyzed the recitations of the present claims. As set forth in claim 1, the present claims are directed to a solid pesticidal formulation, and therefore, of necessity, require the presence of a pesticide.

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Appellants point out that the specific water-soluble hydroxy compounds recited in claim 3 are not disclosed in Levy. Thus, appellants submit that claim 3 provides an additional basis for patentability over Levy, and that claim 3 does not stand or fall together with claims 1, 7, 8, 11 and 12.

In view of the above, appellants submit that Levy does not disclose or render obvious the presently claimed invention and, accordingly, request reversal of this rejection.

B. The Examiner Erred in Rejecting Claims 1, 3-5, 7, 8, 11 and 12 have under 35 U.S.C. § 103(a) as Obvious Over Murakami et al in view of JP 08-19803.

Appellants submit that these references do not disclose or render obvious the presently claimed invention and, accordingly, request reversal of this rejection.

The Murakami et al patent discloses a pesticidal composition comprising microcapsules, with each microcapsule encapsulating a solid organophosphorus compound. The microcapsules include a microcapsule wall made of polyurethane. The polyurethane is made by polymerization of polyvalent isocyanate and polyhydric alcohol compounds. Murakami et al disclose, at column 3, lines 38-45, that the polyhydric alcohol compounds for use in the formulation of the polyurethane microcapsule walls include various alcohols, such as, ethylene glycol, butanediol and glycerin. The Examiner has specifically identified these three compounds, as disclosed at column 3, lines 38 to 45. The Examiner's reference to column 3, lines 38-45 for a teaching of the use of ethylene glycol, butanediol or glycerin, however, relates to the use of these materials to form the wall material, that is, the envelope material, and does not satisfy the recitations of the present claims that the solid pesticidal formulation comprises at least one water soluble hydroxy compound.

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Thus, the Examiner is clearly in error concerning the teachings of Murakami et al. Namely, the ethylene glycol, butanediol and glycerin, which the Examiner specifically relies on, are raw materials for a water-insoluble urethane. They react with isocyanate compounds to form urethane. Therefore, the Examiner's rejection is clearly based on an erroneous assertion that the ethylene glycol, butanediol or glycerin exist in Murakami et al in wettable powders, granules, etc.

In an Advisory Action dated May 20, 2002, the Examiner has also referred to the "propylene glycol" which is disclosed at column 5, second paragraph of Murakami et al. However, Murakami et al describe this compound as being an anti-freezing agent. An anti-freezing agent is utilized for an aqueous liquid formulation to prevent freezing. The present invention relates to enveloped solid formulation, and an anti-freezing agent is not added to solid formulations. Therefore, the present invention is not obvious over Murakami's description of propylene glycol as anti-freezing agent.

The Examiner also relied on the teachings of Murakami et al at column 4, lines 58 to 60. Murakami et al disclose, at column 4, last paragraph, lines 58 to 62 that the microcapsules can be formulated into various forms, such as a suspension concentrate, dusts, wettable powders, and granules. This description in Murakami et al of powders and granules are a mode of the microencapsulated pesticide. In contrast, the powders and granules in claim 1 of the present application are formulations to be enveloped. The substances in the microcapsules of Murakami et al are not wettable powders, water dispersible granules or water-soluble formulations.

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In summary, Murakami et al do not disclose or suggest a solid pesticidal formulation that comprises at least one water soluble hydroxy compound selected from the compounds set forth in claim 1, which is enveloped in a water soluble substance.

JP A 8-19803 only shows package formulations. It is clear that the disclosures of Murakami et al and JP '803 are very different from each other. Appellants submit that one of ordinary skill in the art would not be led to combining the teachings of these two references, and that there is no teaching or suggestion how such a combination could be made. Appellants submit that one could not easily combine the teachings. Further, even if such a combination were to be made, the resulting combination would not produce the present invention.

In view of the above, appellants submit that Murakami et al and JP '808 do not disclose or render obvious the presently claimed invention and, accordingly, request reversal of this rejection.

The present Brief on Appeal is being filed in triplicate. Unless a check is submitted herewith for the fee required under 37 C.F.R. §1.192(a) and 1.17(c), please charge said fee to Deposit Account No. 19-4880.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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WASHINGTON OFFICE



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PATENT TRADEMARK OFFICE

Date: December 5, 2002

Respectfully submitted,

Sheldon I. Landsman

Sheldon I. Landsman
Registration No. 25,430

APPENDIX

The claims on appeal are claims 1, 3 to 5, 7, 8, 11 and 12 and read as follows:

1. A solid pesticidal formulation enveloped in a water soluble substance wherein the solid pesticidal formulation comprises at least one water soluble hydroxy compound selected from the group consisting of alkanols, ethylene glycol, propylene glycol, tri- or more valent alcohols, alcoholamines, lactic acid and hydroxyfatty acid esters and the solid pesticidal formulation is a formulation selected from wettable powders, water dispersible granules and water soluble formulations.
3. The solid pesticidal formulation enveloped in a water soluble substance according to claim 1, wherein the water soluble hydroxy compound is isobutyl alcohol, ethylene glycol, propylene glycol, butylene glycol, glycerin, monoethanolamine, diethanolamine, trithanolamine, lactic acid or ethyl lactate.
4. The enveloped pesticidal formulation according to claim 1, wherein the water soluble hydroxy compound is glycerin.
5. The enveloped pesticidal formulation according to claim 1, wherein the water soluble hydroxy compound is ethylene glycol.
7. The enveloped pesticidal formulation according to claim 1, wherein the content of water soluble hydroxy compound is 0.1 to 40% by weight.
8. The enveloped pesticidal formulation according to claim 1, wherein the content of water soluble hydroxy compound is 2 to 20% by weight.
11. The enveloped pesticidal formulation according to claim 1, wherein the water soluble substance is a water soluble polymer.

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12. The enveloped pesticidal formulation according to claim 1, wherein the water soluble substance is a water soluble polyvinyl alcohol.



Webster's Third New International Dictionary

OF THE ENGLISH LANGUAGE
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fr. *F. alizarin*, fr. *alizerin* (fr. Sp. prob. fr. Ar *al-ʿaṣṣārah* the juice, fr. *ʿaṣṣārah* to squeeze) + *-ine* 1: an orange or red crystalline compound $C_{15}H_{10}O_4(OH)_2$ formerly prepared from madder and now made synthetically from cotton the Turkey reds with different shades (as pink and chocolate) but that is used now more in making red pigments than in dyeing; 1,2-dihydroxyanthraquinone — see DYE table 1 (under *Mordant Red 11*) 2: any of a group of acid, mordant, and solvent dyes derived like alizarin proper from anthraquinone and used to produce various hues — see DYE table 1 3: any of various dyes not derived from anthraquinone but somewhat similar to alizarin in dyeing properties

alizerine blue *n*, often cap *A&B*: any of various blue acid, mordant, and solvent dyes most of which are derived from anthraquinone — see DYE table 1 (under *Acid Blue* and *Solvent Blue*)

alizerine brown *n*, often cap *A&B*: ANTHRAQUINOL. **alizerine carmine** *n*, often cap *A&C*: ALIZARINE RED b. **alizerine cyanine** *n*, often cap *A&C&G*: an acid anthraquinone dye derived from quinizarin that dyes wool and mordanted silk yellowish green to bluish green — see DYE table 1 (under *Acid Green 25* and *Solvent Green 3*)

alizerine lake *n*, often cap *A&L*: an organic pigment made from alizarin — see DYE table 1 (under *Pigment Red 83*) **alizerine red** *n*, often cap *A&R*: any of a group of acid mordant or acid dyes made from alizarin which are derived from anthraquinone: as a TURKEY RED 1a: b: an orange-yellow crystalline compound $C_{15}H_{10}NaO_5$ used chiefly for dyeing and printing aluminum-mordanted wool scarlet red, as a biological stain, and as an analytical reagent (as for detecting aluminum); sodium 3-alizerin-sulfonate — called also *Alizerine Carmine*, *Alizerine Red S*, *Alizerine S*; see DYE table 1 (under *Mordant Red 3*)

alizerine S *n*, often cap *A&S*: ALIZARINE RED b. **alizerine saphirol** *n*, often cap *A&S*: either of two acid anthraquinone dyes — see DYE table 1 (under *Acid Blue 43* & 45)

alizerine yellow *n*, often cap *A&Y*: any of various mordant dyes not related chemically to alizarin but applicable by similar methods: as a TURKEY RED 1a: b: an orange-yellow crystalline compound $C_{15}H_{10}NaO_5$ used chiefly for dyeing and printing aluminum-mordanted wool scarlet red, as a biological stain, and as an analytical reagent (as for detecting aluminum); sodium 3-alizerin-sulfonate — called also *Alizerine Carmine*, *Alizerine Red S*, *Alizerine S*; see DYE table 1 (under *Mordant Orange 1*) c: GALLACETOPHENONE — called also *Alizerine Yellow C*

al-ja-mā *n*, often cap *A&J*: *al-ja-mā* *n* [Sp. fr. Ar *al-ja-mā* the assembly, congregation of people — from *jamā* to assemble] a Jewish congregation or community in medieval Spain; esp.: a Jewish (sometimes Moorish) quarter, school, or synagogue

al-ja-mā-do *n*, often cap *A&J*: *al-ja-mā-do* *n* [Sp. fr. *al-ja-mā* + *-do*, a suffix (fr. L *-atus* -ate)] an inhabitant of an aljama

al-ja-mā or **al-ja-mā-ah** *n*, often cap *A&J*: *al-ja-mā* *n* [Sp. fr. Ar *al-ja-mā* the non-Arab, barbarian] 1: Spanish written in Hebrew or Arabic characters 2: the Arabic alphabet as adapted for writing Spanish

al-ja-mā-do *n*, often cap *A&J*: *al-ja-mā-do* *n* [Sp. fr. *al-ja-mā* + *-do*] written in Spanish with Arabic characters (an ~ text)

aljamado *n*, often cap *A&J*: *aljamado* *n* [Sp. fr. *aljamado*, adj.] a work written in Spanish with Arabic characters

alk *n*, often cap *A&K*: *alk* *n* [Ar *ʿalq* resin]: resin of Chian turpentine

alk comb form [alkyl]: alkyl (alkacrylic) (alkidide) alk comb form alkaline

alk comb form [alkane]: alkane (alkadiene) (alkapolyene) alk-di-ene *n*, often cap *A&D*: *alk-di-ene* *n* [alk + *-di-ene*] 1: DIOLFIN 2: DIOLFIN

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alk-di-ene *n*, often cap *A&D*: *alk-di-ene* *n* [alk + *-di-ene*] 1: DIOLFIN 2: DIOLFIN

measuring the strength or the amount of alkali in a mixture or solution 2: an apparatus for measuring the amount of carbon dioxide (as that liberated from a weighed sample of carbonate-containing material by reaction with acid)

alkali *n*, often cap *A&K*: *alkali* *n* [Ar *ʿalq* resin]: resin of Chian turpentine

alkali *n*, often cap *A&K*: *alkali* *n* [Ar *ʿalq* resin]: resin of Chian turpentine

alkali *n*, often cap *A&K*: *alkali* *n* [Ar *ʿalq* resin]: resin of Chian turpentine

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alkali *n*, often cap *A&K*: *alkali* *n* [Ar *ʿalq* resin]: resin of Chian turpentine

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fau-cal \ˈfoʊkəl^a/ *adj.* [L fauces + E -al] 1 : PAUCAL; 2 : formed or occurring in or near the fauces ; PHARYNGEAL
fau-caul \-ˌzj-/ = a faucal sound
fau-cal·ize \-ˌziːz/ vb -ed/-ing/-s to modify by faucal articulation
fauce\ / fəʊəs/ n a stop consonant released through the nasal cavity by sudden lowering of the velum (as the \t\ in k'at'n cotton)
fau-cee \ˈfoʊ.sɛ:/ n pl [L pl., fauces, throat] 1 usu sing In constr.; the narrow passage from the mouth to the pharynx situated between the soft palate and the base of the tongue and bounded laterally by two curved folds enclosing the tonsil on each side also called also trismus of the jaw; 2 the throat of a spiral shell so called because of the contraction of the interior of a spiral shell which can be seen by looking into the aperture
fauc-es ter-rae \ˌfoʊ.kər.ster.i./ \ˈfoʊ.sɛ.t̩.ræ/ n pl [L gulf]; headlands or promontories enclosing an arm of the sea that under international law is territorial water and not part of the high seas
fau-cent \ˈfoʊ.sən/, archaic \ˈfaː; usu -d+V\ n -s [ME, fr. L fauent, fauter, to cause to flow down], flume, fall, falstus, etc. (fr. L falsare to falsify) fr. L falsus false — more at FALSE] ~ now dial.: a peg used to stop a vent hole in a cask or other vessel 2 : a fixture for drawing a liquid from a pipe, cask, or (other vessel) : TAP, COCK 3 : HUN SA 3 (I)
fau-chard \ˈfoʊ.ɡɑrd/ n -s [F, fr. OF faussart, fauchier fr. faux, jaws sickle, scythe (fr. L falsx + -ard, -art -ard)] 2 : a long-handled medieval weapon with a long convex edge
taucht \ˈfakht/ Scot var of FIGHT
fau-ci-al \ˈfoʊshl/ adj [-ness] [+FAUL + E -ial]: of or involving the fauces (a ~ tonsill (-itis)) (~ diphtheria)
fau-cis \ˈfoʊ.sɪs/ n pl [-es] FAULT 1
faugh \ˈfoʊ.ɡh/ v [*Jocellyn*] articulated p-sound or a forceful trilling of the lips; often read as \foʊ interj~ used to express contempt, disgust, or abhorrence
taught \ˈtokht/ Scot var of FIGHT
fau-fa-site \ˈfiðrɜz.sit-, -zit/ n [Fr. Barthélemy Faujas de Saint-Fons ?1789 Fr. geologist + F -ite]: a mineral (Na₂O · Al₂Si₄O₁₀ · 6H₂O consisting of fine crystals or white hyaline aluminosilicate of sodium and calcium (hardness 5, sp. gr. 1.92)
fauj-dar or foujd-ar \ˈfoʊ.djər/ n -s [Hindi faujdar, fr. Per. fr. Ar. fauji host, troop + Far -dar holder — more at BHUMIDAR] 1 : a criminal; a petty officer (one in charge of police) 2 India : a criminal judge
fau-judg-e \ˈfoʊ.n-djəri/ -rē/ n pl faujdaris or fouljudaris [Hindi faujdari, fr. Per. fr. jaywdār] 1 India : a fauja's jurisdiction 2 India : a criminal court
fau-chion var of FALCHION
fault \fold/ chiefly SCOT var of FOLD
 fault \ˈfoʊld, archaic \ˈføt/ n -s [ME faute, faultre, fr. OF faulte, fr. (assumed) Lat folita, it-nem (of assumed) Vlt folitus, past participle of folere to constitute, to soil, a failure of insulation] SCARCITY (one it pleases me, for ~ of a better, to call my friend ~Shak.) b : NEGLECT, DEFAULT 2 : a defect in quality or constitution: a : an imperfection in character or disposition : FAILING, WEAKNESS; esp : a blameworthy moral weakness less serious than a vice b : a physical or intellectual imperfection or impairment ~ thereof : such a failure of insulation 3 : GLENNES damage-part (c) in a bolt of cloth) c (1) : violation of a rule in a racket game which results in loss of service or a point for the opponent or both (as a failure to serve the ball legitimately into the proper court) (2) : a service in a racket game that strikes outside the proper service court 3 : a defective point in an electric circuit due to a crossing of wires 4 : a place where one road crosses another in such a way that a failure to do what is right: a : a moral transgression : SIN (fell down at the pope's feet confessing his ~ —R.W. Southern) b : a wrongdoing of an excusable kind : MISDEMEANOR (a small boy's ~s) c : MISTAKE, ERROR (a subtle ~ committed most . . . when we are least aware of it —S.L. Payne) d : a failure to do something required by law or the duty of responsibility forbidden by law — compare NEGLIGENCE 4 b : responsibility for wrongdoing or failure (it was not the driver's ~ that the car went out of control) b : the wrongdoing or failure attributable to a particular inadequacy, flaw, or failure (the accident was the ~ of a broken steering rod) 6 : a fracture in the earth's crust accompanied by a displacement of rock strata fracturing with respect to the shear and in a direction parallel to its fracture 6 : a lost scent in hunting; also : the act of losing the scent : CHECK
SYN FAILING, FRAILTY, FOIBLE, VICIE: FAULT implies some falling short, though USU. not far, of a standard of moral perfection in disposition or action (his lack of interest in theology is a faultiness but not a major fault —C.H.Hopkins) (there are weaknesses but no faults —J.E.Agar) (he has many interesting qualities but some unforeseen position —J.A.Froude) (a victim of many small faults of envy and spitefulness) FAILING implies a shortcomings, i.e. a weakness of character of which one may be unaware (the one failing — common to all elderly observers since Adam's hair turned gray — of imagining that the entire youth of the world is going to be dogs — Douglas Stewart) (we have had too much failings in our restive country — J.M.Burnett) (the harmless weakness of character, often no more than an idiosyncrasy (to indulge on occasion in a kind of willful coquetishness hardly appropriate to her age or appearance . . . was the result rather of a foible than of any infundamental folly —J.W.Krutich) (his dear father's one infinitesimal foible—that willful blindness of his to the march of time—was like Goldilocks') (she found him full of failures and he began to hope that whatever our failings—at least we are not disgraced by vulgarity of spirit —Kate O'Brien) VICIE usually stresses violation of moral law but in this comparison can apply to any large or small imperfection or weakness of character (the great vices such as mendacity, vanity —Norbert Guterman) (she was criminally proud. That was her vice —Arnold Bennett) (and I wish you were free of your vice) (beings to hope that whatever our failings—at least we are not disgraced by vulgarity of spirit —Sydney Greenbie) (the great vice of English drama from Kyd to Galsworthy has been that its aim of realism was unlimited —T.S.Eliot)
— at fault 1 a : unable to find the scent and continue chase b : in trouble or embarrassment and unable to proceed 2 also in fault : responsible or blameable (He felt ill ease about himself) : CULPABLE (much of the reason of fault for an inadequately constructed house) (if war should break out it would be difficult to determine who is really at fault) — for fault of or for the fault of obs : in default of; thorough want of — to a fault adv : almost to the point of absurdity : EXCESSIVELY (gentle to a fault) (meticulous to a fault in all matters of dress) (with all faults adv) (no warranty guarantee against defects) (mercifully forgive them all their faults)
 fault \v\ vb -ED/-INO-S [ME fauten, fr. faute, n. — more at FAULT] w\ 1 : to commit a fault; go wrong : ERR, BLUNDER (not one singer forgot a word; not a pianist ~ed —Hartzel Spence) (his tongue stammering and ~ing with rage —Earl of Chesterfield) w\ fault 1 : FALL; 2 : to fracture so as to produce a geological fault; w\ fault 1 : a firm belief in oneself or one's own power (such as that which few could ~ him —Newsweek) (he had been ~ed by professional critics for the lack of music in his speaking of verse —Tyronne Guthrie) (his arguments were logical and hard to ~ —Anthony West) (I ~ in this speech in three ways —J.E.Agate); specl : to grade (a person or object) down for imperfect performance or feature in case dog ~ed his master) w\ fault 1 : NOW DIALECT & BUREAU SCAND. TEMPER (dag! ~ him for that) 2 : to produce, to

fault-age \ˈfɔldɪŋ\ n-s : geologic faulting : geological fault
fault block n : a body of rock bounded by faults
fault breccia or **fault rubble** n : a rock composed of fragments that have resulted from movement also
CRUSH BRECCIA
fault cliff n : a cliff formed by faulting
fault conglomerate n CRUSH CONGLOMERATE
fault-ed \ˈfɔltd-əd\ adj [fault + -ed] : marked by fault (a book that is good although ~)
fault-er \-tər\ n-s [-ter] (influenced by -er, n. suf) (Sc) *sautour*, *sautours* wrongdoer, fr. ME *sauten* to fault + -or, -our -qr) dial Brit : a wrongdoer esp. : cheat
faultfinder \-ˈfaʊndɪn-\ n one esp. given to faultfinding
'faultfinding \-ˈfaʊndɪŋ-\ n-s [-'faʊlt + findɪŋ, fr. ger.] : the tendency to unremitting petty esp., unjustified or the act of persistently finding petty flaws and in another (reviews of appreciation and not of con- sideration) —A.C. Benson)
²fault-finding \-ˈfaʊlt + findɪŋ, fr. pres. pa. + -ing\ n : action relating to faultfinding; disapprovingly noticing and stressing faults (his *faultfind-* ing) —J.T. Field syn see CRITICAL
fault-ful \-fəl\ adj : full of faults — **fault-ful-ly**
fault gouge n : finely comminuted uncemented material of fault zones
fault-i-ly \ˈfɔlti-zli-\ adv : in a faulty or blamable (of comments ~ attributed to the secretary) —Current Biog.
fault-i-ness \-ˈfɔlti-nəs-, -tɪn-\ n-ES : the quality or state of faulting (the notable ~ of a man's reasoning)
faulting n-s [-fr. gerund of *fault*] : the act or proceeding so as to produce a fault; also : FAULT
fault-less \ˈfɔltləs-\ adj [ME *fautes*, fr. *faute* fault, *faute* faultless] : having no fault; a term used in criticism, failing, blemish, or error : IRREPROACHABLE performance on his first appearance as a concert pianist (complexion) (~ workmanship) — **fault-less-ly**
fault-less-ness n-ES
fault line n : the geologic line determined by the intersection of the earth's surface or with some other reference plane
fault-line scarp n : a cliff or escarpment resulting from erosion of soft rock that has been brought against by faulting
fault-line valley also **fault valley** n : a valley that follows a fault line
fault plane n : a fault surface that is not notably curved
fault rock n : a rock that consists of fragments produced by crushing and grinding which accompany a dislocation found along the fault plane — compare CRUSH CONGLOMERATE
faults pl OF FAULT, pres 3d sing OF FAULT
fault scarp n : a cliff or escarpment directly resulting from faulting
fault sheet n : a map showing a fault
fault slip n : a geologic fault
fault surface n : the surface along which the displaced rocks move in a geologic fault — see FAULT PLANE
fault terrace n : a topographic bench or step on a slope formed by displacement by two approximately parallel faults along each of which the downhill side has moved relatively to the uphill side
fault trace n : a line of intersection of a fault plane with the earth's surface
fault trough n : a usu. long and narrow depression between either side by faults — compare GRAEBEN
fault vent n : a volcanic vent situated on a fault
faulty \ˈfɔlti-, -d\ adj [-er/-est] (ME *faury*, fr. *faute*; *faute* fault, *faute* faulty) : defective, flawed, blemished, IMPERFECT, UNSOUND (as ~ mechanism) (a ~ argument) (his technique was ~ and his taste was ~ J.B.Priestley) b : prone to faults (memory is often ~ mentally ill —Hartzell Spence) c : apt to do unpleasant ~ world —C.E.Montague d : not fit for intended or desired (the first mate's ~ attitude toward cargo shift —E.B.Garside) 2 archaic a : fault b : consisting of a fault ; BLAMABLE
fault zone n : an area in which there are several close faults
faun \ˈfoʊn-, ˈfæn\ n-s [ME, fr. L *fauna*; akin to Götterwelt, Russ *davla* to prosper, Grana, stardale] : an Italic deity of fields and herds represented as having human shape, with pointed ears, small horns, and sometimes a goat's tail, or as half goat and half man
fauna \ˈfəʊnə-, ˈfæna-\ n pl *faun-nae* \-nzə\ also *faun-nae* \-nē\ (fr. L *fauna*, Rumanian *faună*) : all animals with the fauna of a life *[fauna]* 1 : animals in general or animal life esp. as distinguished from flora; esp : the animals or animal life characteristic of or peculiar to a region or locality, period, or geological stratum 2 : the animals or animal life occurring, developing, or adapted for existence in a specified environment (cave ~ protozoal ~ of the human intestine) 3 : a systematic treatise upon the animals of an area or period — compare FLORA 1
faunal \ˈfəʊnl-, ˈfæn\ adj [*fauna* + -al] : of or relating to fauna — *faunal-ly* \-lɪ\
faunal area n : a region characterized by a particular animal community
faunal-ecology \ˈfəʊnəl-ədʒi-, ˈfæ- / adj [*fauna* + ecology] : possessing an extensive intestinal fauna of complex organisms — used of certain animals (as termites)
faunch \ˈfəʊntʃ-, ˈfæ- / v [-ED/-ING/-EN] (archaic) : to make anyone excited : rant and rave (it was making anybody ~)
faun-list \ˈfəʊn-lɪst-, ˈfæn- / n-s [*fauna* + -list] : a s faunas
faun-nis-tic \ˈ(f)əʊnɪstɪk-, ˈ(f)æ- / or *faun-nis-tic-al* : of or relating to zoogeography : FAUNAL — *faun-nis-tic-ally* \-lɪ\
faun-ty \ˈfəʊnti-, ˈfænti-\ n-s [*faunt*-(fr. *faun* ty)] : a group of geologic beds deposited during the particular assemblage of organisms and thus characteristic of a particular fauna
faun-ul-o-gy \ˈfəʊnələdʒi-, ˈfæ- / n-s [*fauno-*(fr. *logos*) : ZOOLOGY
faun-tie-ro-y \ˈfəʊntiəri-, ˈfæn- / adj, usu cap I *Littleroy*, fr. hero, cf. Frances Hodgson Bur *Fauntleroy* (1886)] : characterized by a tailored jacket, knee-length trousers, rather frilly collar with rounded corners, or large loose belt like the boy in *Fauntleroy* clothes and kept his hair short —R.L.Taylor (a ~ suit) (a ~ collar)
faun-u-le \ˈfəʊnyʊl-, ˈfæ- / also *faun-u-la* \-nyʊlə\ n-s [*faunula*, fr. *faunula* unknown] : a diminutive fauna; esp : an association of a found in a single stratum or a succession of strata thickness
faur \ˈ(f)ɔr/ Scot var of WHERE
faured \ˈfɔrd/ Scot var of FAVORED
faure \ˈfɔr-/ adj [by alter.] chiefly Scot : FALSE
fausen \ˈfəʊsn- / n-s [*fausen* unknown] archaic : child of catadromous eels and sometimes specifically mental forms (as the elver or the yellow eel) in the faustian *'faustian*, \ˈfəʊstən-, ˈfəs- / adj, usu cap Johann Faustinized form Johannes Faustus) tabi 540 Ger. n astrologer represented in several dramatic works Marlowe and Goethe) as growing dissatisfied with nature and of human kind and consequently set out to the devil in exchange for worldly experience